

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

BOARD OF TRUSTEES OF THE UNITED UNION OF ROOFERS, WATERPROOFERS &
ALLIED WORKERS LOCAL UNION NO. 8 ANNUITY FUND, PENSION FUND, WELFARE
FUND, SUMMER BENEFIT FUND, WINTER BENEFIT FUND, LABOR MANAGEMENT
COMMITTEE FUND, INDUSTRY PROMOTION FUND, JOINT APPRENTICESHIP
TRAINING FUND, RESEARCH AND EDUCATION FUND, and NICK SICILIANO, Trustee,

Plaintiff

v.

GILBERT CONTRACTING INC. and JOHN MODICA,

Defendant

Civil Action No. 20-cv6367 PKC-RML

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* GILBERT CONTRACTING INC.
4163 Merrick Road, Massapequa, NY 11758

JOHN MODICA
354 Cypress Street, Massapequa Park, NY 11762

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in **Fed. R. Civ. P. 12** (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Sylvie Straus-Figueroa, Esq.
Law Offices of William Rothberg
16 Court Street, Suite 2200
Brooklyn, NY 11241

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Douglas C. Palmer
CLERK OF COURT

Date: 01/04/2021



s/Kimberly Davis
Signature of Clerk or Deputy Clerk

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PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Reset